



**BRTS ORANGE & GREEN LINE PROJECT
RESPONSES TO QUERIES RAISED DURING AND SUBSEQUENT TO THE
PRE-BID MEETING HELD ON JULY 07, 2020**

SINDH INFRASTRUCTURE DEVELOPMENT COMPANY LIMITED (SIDCL)

GOVERNMENT OF PAKISTAN



RESPONSES TO BIDDERS QUERIES - No 3

IN RELATION TO THE

SUPPLY OF GOODS AND PERFORMANCE OF SERVICES

FOR THE

BUS RAPID TRANSIT SYSTEM OF THE ORANGE AND GREEN LINES

ISSUED ON: 5TH AUGUST 2020



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**NO. SIDCL/GM(ENGG)/OPS/2020/7497
DATED 5TH AUGUST, 2020**

SUBJECT: RESPONSES TO QUERIES NO 3 IN RESPECT OF “SUPPLY OF GOODS AND PERFORMANCE OF SERVICES FOR THE BUS RAPID TRANSIT SYSTEM OF THE ORANGE AND GREEN LINES” PPRA REFERENCE TS424843E AND ADVERTISED ON 17TH JUNE 2020.

THIS IS IN CONTINUATION OF THE PREVIOUS DOCUMENTS NO1& 2 DATED 23RD AND 30TH JULY 2020 RESPECTIVELY.

THE QUESTIONS/QUERIES WERE RECORDED / OBTAINED IN WRITING, AND RESPONDED-TO ACCORDINGLY.

THE BIDDERS ARE ADVISED TO FOLLOW THE PRE-BID MINUTES IN CONJUNCTION WITH THE ISSUED BIDDING DOCUMENTS, SUBJECT TO THE FOLLOWING DISCLAIMER.

**ISSUED WITH APPROVAL OF THE COMPETENT AUTHORITY,
SINDH INFRASTRUCTURE DEVELOPMENT COMPANY LIMITED**



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IMPORTANT NOTICE / DISCLAIMER

This ‘**RESPONSE TO BIDDERS’ QUERIES DOCUMENT III** (this **Response Document III**) is further to the ‘REQUEST FOR PROPOSAL’ (consisting of the Volume I – Request For Proposal (the **RFP**), Volume II - Draft Supply Contracts (the **Draft Supply Contracts**) issued in June 2020, the Response Document (the **Response Document**) and the Response Document II (the **Response Document II**) both issued in July 2020 (collectively the **RFP Documents**) and the additional queries received from the prospective bidders in respect of the bidding process relating to the Supply of Goods and Performance of Services for the Bus Rapid Transit System of the Orange and Green Lines (the **Project**). This Response Document III is being circulated by the Sindh Infrastructure Development Company Limited (the **Employer**), solely for use by the recipients in preparing and submitting their Bids for participation in the competitive bidding process in relation to the Project. Upon signing of the Supply Contracts for the Project, the Supply Contracts will be the final and binding document and any responses set out in this Response Document III will not have any effect or be sued for interpretation.

Unless expressly specified otherwise, all capitalized terms used herein shall bear the meaning ascribed thereto in the RFP Documents.

This Response Document III is not an agreement; its sole purpose is to provide interested parties with information that may be useful to them in making their offers (bids/proposals) pursuant to the RFP Documents. The RFP Documents and this Response Document III includes statements, which reflect various assumptions and assessments arrived at by the Employer in relation to the Project. Such assumptions, assessments and statements do not purport to contain all the information that each Bidder may require. This Response Document III may not be appropriate for all persons, and it is not possible for the Employer, its employees or advisors to consider the investment objectives, financial situation and particular needs of each party, that relies on, reads or uses this Response Document III.

Neither the Employer nor its employees, personnel, agents, consultants, advisors and contractors etc., make any representation (express or implied) as to the accuracy or completeness of the information contained herein, or in any other document made available to any person in connection with the tender process for the Project and the same shall have no liability for this Response Document III or for any other written or oral communication transmitted to the recipient in the course of the recipient’s evaluation of the Project. Neither these entities nor their employees, personnel, agents, consultants, advisors and contractors etc., will be liable in any manner whatsoever to reimburse or compensate the recipient for any costs, fees, damages or expenses incurred by the recipient in evaluating or acting upon this Response Document III or otherwise in connection with the Project.



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The assumptions, assessments, statements and information contained in the RFP Documents, may not be complete, accurate, adequate or correct for the purposes of Bidders. Employer or any of its advisors has no liability for any statements, opinions or information provided in the RFP Documents. Each Bidder should, therefore, conduct its own investigations and analysis and should check the accuracy, adequacy, correctness, reliability and completeness of the assumptions, assessments, statements and information contained in the RFP Documents. The Bidders are required to undertake their independent assessment and to seek independent professional advice on any or all aspects of the RFP Documents. No decision should be based solely on the basis of the information provided by the RFP Documents and this Response Document III.

Employer expressly disavow any obligation or duty (whether in contract, tort or otherwise) to any Bidder. No Bidder is entitled to rely on Employer's involvement in the preparation of this Response Document III or in the solicitation process as a basis for preparing the Bid or developing the Project.

IMPORTANT NOTE:

Prospective Bidders are hereby apprised that the Authority shall not entertain any queries ten (10) days prior to the submission of bids. The Authority also reserves right not to respond to any further query similar in nature to that of already responded-to in this document.

Questions / queries raised by the bidders have been lumped and appropriate responses have been given to all the queries, in view of the timelines and response document 1 and 2.



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RESPONSES TO PROSPECTIVE BIDDERS' QUERIES

SR. NO.	SECTION NUMBER	SECTION	QUERY	RESPONSE
1.			<p>We agree your warranty of 12 years. While please consider the following to ensure your right in future.</p> <ol style="list-style-type: none">1. Regarding the battery technology from battery manufacturers, with a 70% remaining capacity, the battery of hybrid buses can only run for 6 years, less than pure electric bus(8years) because of the charging style. This can be checked from any battery manufacturer, like CATL.2. If the supplier make the compliance for the warranty of battery, bidders have to include one additional battery cost in the bidding price, which will take around 15% of whole bus price.3. Because the supplier will receive full payment after 3 years warranty finished. There is a possibility that some bidders just make compliance for 12 years but actually bid the price with only one battery. This will be very unfair for the one who really want to fulfill 12 years warranty.4. If above thing happened in future, how the employer can secure the value of money, quality product? Because there is no penalties clause inside the RFP.	<p>Not Agreed.</p> <p>Please refer to Clause 8.3(a) of the Supply Contracts whereby the Supplier is required to maintain a Warranty Bond equivalent to five percent (5%) of the revised Supply Price from the First Release Date till the Final Release Date.</p>



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			5. In order to make sure this case never happen and secure your right, it is suggested to send a clarification email from SIDCL to all the bidders, to ask that the Supplier should supply additional set of battery during the 12 years' warranty period.	
2.			<p>You only mentioned battery size. In fact there are two kinds of battery. For Hybrid bus, there is a special battery type, which the rate of charge is 2C to meet quick charging during running, braking. Also to meet your grade ability. So it is better to ask supplier to supply the battery specially for Hybrid system.</p> <p>It is suggested to clear to all the bidders that the battery should be special type for Hybrid system.</p>	Not Agreed.
3.			<p>You had asked for warranty of three years. And bidder has to provide all replacement parts and supplies for all maintenance issues resulting from normal wear and tear as well as items requiring scheduled replacements. While in the financial proposal you asked to provide the parts with DAP price, which the duty, local taxes will be arranged by SIDCL.</p> <p>Please clarify who will bear the cost of duty & related tax for spare parts.</p>	The Employer (SIDCL) will bear the cost of custom duty and local taxes with respect to the import of Goods including Buses and Spare Parts.
4.			<p>1. Net worth excluding any surplus on revaluation:</p> <p>To be reduced from \$ 100 Million to \$ 50 Million, based on recent audited financial statements.</p> <p>2. Average Annual Turnover:</p> <p>To be reduced from \$ 700 Million to \$ 550 Million, based on last three years audited financial statements.</p>	Not Agreed.



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			Your kind approval will qualify more entities as bidders. This will have multi-dimensional positive impacts, most importantly it will generate healthy competition, competitive project supply price etc.	
5.			<p>Need Some More clarification?</p> <p>Please mention the duties & any other taxes which are payable by the importer (SIDCL).</p> <p>So that we can exclude exactly those duties & taxes from the total bid price.</p>	Please refer to response under Serial No. 3 above.
6.			<p>Need Clarification.</p> <p>We will submit bank guarantee through SWIFT by national bank of Pakistan in your account (Account data given by you).</p> <p>Then how we will release bank guarantee from your account? Which person from SIDCL will be deal with this?</p>	<p>We understand that a foreign bank (meeting the Acceptable International Credit Rating (as defined in the RFP Documents) may issue the bid security in the form of an on-demand bank guarantee in favour of the Employer (SIDCL) (as the beneficiary) via SWIFT instructions transmitted to the National Bank of Pakistan (on behalf of the Employer (SIDCL)).</p> <p>The validity and release of the Bid Security shall be as per the terms and conditions of the RFP and format of Bid Security provided in Form F3.</p>
7.			<p>Original Bid Security / Bank guarantee (Along with Bidding form F3) will be attached with technical proposal or with financial proposal?</p> <p>And if a photocopy is also required, then in which proposal will attach photocopy. (Technical of Financial)?</p>	<p>As per ITB 10.4 the Financial Proposal (including copies thereof) submitted shall include the Bid Security.</p> <p>Furthermore, it has been clarified in ITB 13.6 that the Employer shall reject a Bid if a photocopy of original</p>



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				Bid Security is attached with the Technical Proposal and such Bid shall not be further examined.
8.			According to the new amendment you just sent, we noticed that there are some changes on the requirements regarding different files. So since the timeline is very close, the international courier even takes 10 days or more, plus we still need time to study this new amendment and change the files accordingly, we request you kindly extend the timeline of submission to allow us to submit the updated documents on time.	The changes are more of clarificatory nature, and made under bidders' requests. No further extension in time will be given. Not Agreed.
9.			First we would like to Thank you for queries you've addressed and extended the date of submission to 13th August, it gave us bit of relief but as you know the solution would be very comprehensive and has different dynamics so we request you to please extend the submission date at least ten days more that would be a great support to us.	Not Agreed.